

NOV 02 2011

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NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

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**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

V.

GUSTAVO COLIN LOPEZ,
Defendant.

STIPULATION RE CONTINUANCE
OF STATUS DATE; ~~[PROPOSED]~~
ORDER

Under Title 18 U.S. C. §3161(h)(7)(B)(iv), the continuance is necessary to allow the attorneys for the government and the defense the reasonable time necessary for effective preparation taking into the account the exercise of due diligence. Since the defendant needs additional time to make arrangements to speak with second counsel, the time period from November 8, 2011, through

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1 November 15, 2011, should be excluded.

2 It is so stipulated.

3 Dated: November 1, 2011

Respectfully submitted,

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5 /s/ Vicki H. Young
6 VICKI H. YOUNG, ESQ.
7 Attorney for Gustavo Colin Lopez

8 Dated: November 1, 2011

MELINDA HAAG
UNITED STATES ATTORNEY

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11 /s/ Thomas Colthurst
12 THOMAS COLTHURST
13 Assistant United States Attorney
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STIPULATION RE CONTINUANCE;
[PROPOSED] ORDER

PROPOSED ORDER

GOOD CAUSE BEING SHOWN, the status date appearance set for November 8, 2011, is continued to November 15, 2011. This Court finds that the period from November 8, 2011, through and including November 15, 2011, is excludable time under the Speedy Trial Act, 18 U.S.C. §3161(h). The basis for such exclusion is that defense counsel need additional time to make arrangements for the defendant to speak with second counsel by telephone. Therefore the ends of justice served by such a continuance outweigh the best interest of the public and the defendants in a Speedy Trial within the meaning of Title 18 U.S.C §3161(h)(7)(A).

As required by 18 U.S.C §3161 (h)(7)(A), this Court finds that the reason that the ends of justice outweigh the best interest of the public and the defendant in a speedy trial are the denial of the continuance would unreasonably deny both the attorney for the government and the attorney for the defendant reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. §3161(h)(7)(B)(iv).

DATED: 11-2-11


D. LOWELL JENSEN
SENIOR UNITED STATES DISTRICT JUDGE